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Mar. 3

His Excellency, Governor Hugh Gregg
State House

Dear Governor Gregg:

You have inquired as to the authority of the Governor over the Board of Trustees of the New Hampshire State Hospital.

It is my opinion that the Governor, acting with the Council, has a certain amount of limited authority over the Board of Trustees of the State Hospital. Revised Laws, chapter 17, section 2 would give the impression that the Trustees operate solely under the supervision and direction of the Governor and Council. This chapter has been modified by the Re-organization Act. (Chapter 5, Laws of 1930)

The general supervision of the State Hospital is now vested in the Board of Control of the Department of Hospitals. Laws 1930, chapter 5, Part II, section 5. Overall institutional policy is determined by the Board of Control. Laws 1930, chapter 5, Part II, section 11. Specific policy relating to supervisory, custodial, therapeutic and professional functions still remains with the Board of Trustees of the Hospital. Specifically, it is my opinion that the Governor and Council would not have the authority to order a reduction of hospital services or reduction in maintenance of hospital property. This being so, the Governor alone could most certainly not have such authority.

Very truly yours,

Henry Bowst, Jr.,
Assistant Attorney General

FBM